

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 25029 of 2004(D)

OS.439/1999 of PRL.MUNSIFF COURT,THRISSUR

PETITIONERS:

**1. K.G.SATHEESH,S/O.GOPALAN,
KARANATH VEEDU,P.O.PADIYAM,THRISSUR DIST.**

**2. A.K.CHANDADAS,AYINIKUNNATH VEEDU,
PUTHENPEEDIKA P.O.,THRISSUR DIST.**

BY ADV. SRI.U.O.JOSE

RESPONDENTS:

**M/S.THE PERINGOTTUKARA NAMBOODIRI
YOGAKSHEMA SABHA,ANTHIKKAD,THRISSUR DIST.**

**BY ADV. SRI.V.R.KESAVA KAIMAL
SRI.N.M.MADHU**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 15/06/2007,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 25029/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER IN EP NO. 1325/01 OF O.S NO. 439/99 DT. 10/3/2003 OF THE COURT OF PRINCIPAL MUNSIF AT THRISSUR.

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 25029 OF 2004

Dated this the 15th day of June, 2007.

J U D G M E N T

Challenge is on Exhibit P1 order passed by the Munsiff Court in E.P. 1325/2001. The Execution Court found that the petitioners who are judgment debtors have sufficient means to pay off the decree debt and that their attempt was only to evade the payment.

2. It is seen that during the pendency of the writ petition, the petitioners had deposited an amount of Rs. 10,000/-. Learned counsel for the respondent submits that if it is only a matter of time it is for the petitioners to approach the respondent, in which case, the request can be considered. Without prejudice to such liberty to the petitioner, this writ petition is dismissed.

KURIAN JOSEPH, JUDGE.

smp